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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/604,780	08/15/2003	Jesse J. Williams	71189-1501	1779
20915	7590	09/22/2008		
MCGARRY BAIR PC 32 Market Ave. SW SUITE 500 GRAND RAPIDS, MI 49503			EXAMINER DOUYON, LORNA M	
			ART UNIT 1796	PAPER NUMBER
			MAIL DATE 09/22/2008	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.



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9-22-08

Mailed :  
In re Application of  
Lindsay M. Ulman et al.  
Serial No. 10/604,780  
Filed: August 15, 2003  
For: Manual Spray Cleaner

:  
: DECISION ON  
: PETITION  
:

This is a decision on Applicants' request for reconsideration of Notice of Panel Decision from Pre-Appeal Brief Review mailed on July 16, 2008. The request is being considered as a PETITION FILED UNDER 37 CFR 1.181 (no fee).

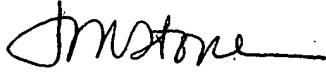
On July 16, 2008 a Notice of Panel Decision from Pre- Appeal Brief Review was mailed out that stated that the request was improper because "Rule 132 Declarations and exhibits accompanied the Pre-Appeal Brief Request". Applicants' assert that the documents were not new filings but were simply part of the record. Applicants attached the documents in order to assist the panel in making its decision. Applicants request reconsideration of the decision.

A review of the records indicates that an Appeal Brief was filed on September 8, 2008.

## DECISION

An appeal conference is mandatory in all cases in which an acceptable brief (MPEP § 1205) has been filed. However, if the examiner charged with the responsibility of preparing the examiner's answer reaches a conclusion that the appeal should not go forward and the supervisory patent examiner (SPE) approves, then no appeal conference is necessary. In this case, the examiner may reopen prosecution and issue another Office action. See MPEP § 1207.04.

Accordingly, the petition is **DISMISSED** in view that an appeal conference will be conducted if the examiner in charge concludes that the appeal should go forward.



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